

HOUSE \_\_\_\_\_ AMENDMENT NO. \_\_\_\_\_

Offered By

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Section 302.177, Page 23, Line 56 by inserting immediately after said Line the following:

"302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which [he] the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against [him] the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the

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1 noncompliance suspension pending final disposition, or satisfactory evidence of disposition of  
2 pending charges and payment of fine and court costs, if applicable, is furnished to the director by  
3 the individual. Upon proof of disposition of charges and payment of fine and court costs, if  
4 applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall  
5 reinstate the license. The filing of financial responsibility with the bureau of safety responsibility,  
6 department of revenue, shall not be required as a condition of reinstatement of a driver's license  
7 suspended solely under the provisions of this section.

8         2. If any city, town, or village receives more than [forty-five] thirty-five percent of its  
9 [total] annual general operating revenue from fines and court costs for traffic violations occurring  
10 on state highways, all revenues from such violations in excess of [forty-five] thirty-five percent of  
11 the [total] annual general operating revenue of the city, town, or village shall be sent to the  
12 director of the department of revenue and shall be distributed annually to the schools of the county  
13 in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of  
14 the penal laws of the state are distributed. For the purpose of this section the words "state  
15 highways" shall mean any state or federal highway, including any such highway continuing  
16 through the boundaries of a city, town or village with a designated street name other than the state  
17 highway number. If any city, town, or village fails to send such excess revenues to the director of  
18 the department of revenue in a timely fashion which shall be set forth by the director by rule, such  
19 city, town, or village may submit to an annual audit by the state auditor under the authority of  
20 article IV, section 13 of the Missouri Constitution. Any rule or portion of a rule, as that term is  
21 defined in section 536.010, RSMo, that is created under the authority delegated in this section  
22 shall become effective only if it complies with and is subject to all of the provisions of chapter  
23 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are  
24 nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536,  
25 RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently  
26 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted  
27 after August 28, 2008, shall be invalid and void.

28         3. Subsection 2 of this section shall not apply before January 1, 2010, to any city, town, or

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1 village located in any county with a charter form of government and with more than six hundred  
2 thousand but fewer than seven hundred thousand inhabitants."; and  
3  
4 Further amend said bill by amending the title, enacting clause, and intersectional references  
5 accordingly.

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